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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/686,426	10/11/2000	Justin Grant	MS158532.1	6062

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EXAMINER

JEAN, FRANTZ B

ART UNIT	PAPER NUMBER
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2151

DATE MAILED: 09/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/686,426

Applicant(s)

GRANT ET AL.

Examiner

Frantz B. Jean

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2005.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-25 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

This office action is in response to the Appeal Brief filed on 06/30/05. Claims 1-25 are still pending in this application.

Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 112

Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 recites the limitation "the changes to the configurable event logging settings at the at least on member" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1-25 are rejected under 35 U.S.C. 102(e) as being *anticipated* by Bottan et al. hereinafter "Bottan" US Publication number 2002/0042846 A1.

As per claim 1, Bottan teaches a system for monitoring events of a plurality of members configured as an entity, comprising:

At least one member of the entity having configuration event logging settings for determining at least one of event types to be monitored (page 3 par 0032); and each of the plurality of members of the entity having member specific configuration settings wherein selection of events types in the at least one member is propagated to the member specific configuration settings of each of the plurality of members (see abstract; page 3 par 0033 to page 4 par 0108).

As per claim 2, Bottan teaches the changes to the configurable event logging settings at the at least one member are dynamically updated at the member specific configuration settings of the plurality of remaining members (see abstract (add, delete, and modify event description data); see page 8 par 0164-0165).

As per claim 3, Bottan teaches the system of claim 1, wherein the at least one of the plurality of members has an event monitor system operable to log event data information based on the member specific configuration settings (see page 1, par 0010; page 3 par 0033).

As per claim 4, Bottan teaches the system of claim 3, the event monitor system comprising an event consumer component operable to determine settings in the member specific configuration settings and log at least one of an event source, an event type and an event severity type based on the settings (page 4 par 0091 to 0108).

As per claim 5, Bottan teaches the system of claim 4, the event consumer component being notified of changes in the member specific configuration settings and being operable to access these changes through an event source (see abstract; page 4 par 0107).

As per claim 6, Bottan teaches the system of claim 3, the event monitor system further comprising an event mapping component adapted to map different event types into a common data format for logging in a data store (abstract; page 3 par 0032-0033).

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As per claim 7, Bottan teaches the system of claim 1, the at least one member having configurable event logging settings for determining event severity types to be monitored (page 4 par 0091 to 0108).

As per claim 8, Bottan teaches the system of claim 1, each event is assigned a unique event identification number, a member identification number and an event time when being logged in a data store (page 1 par 0009; page 4 par 0107-0109)

As per claim 9, Bottan teaches the system of claim 8, the event data common to all event types is logged in a first table and event data specific to the event instance is logged in a second table (page 6 par 0145).

As per claim 10, Bottan teaches a system for monitoring events on a member, comprising: an event monitor system adapted to receive different event types from an event source and log the different event types into a data store (page 3 par 0032; page 1 par 0010), the event monitor system further comprising an event mapping component adapted to map data fields of the different event types into common data fields such that the different event types conform to a common event type schema in the data store (abstract; page 3 par 0032-0033).

As per claim 11, Bottan teaches the system of claim 10, the event monitor system further comprising an event consumer component operable to determine settings in a member specific configuration settings and log at least one of an event source, an event type and an event severity type based on the settings (page 4 par 0091-0108).

As per claim 12, Bottan teaches the system of claim 10, each event is assigned a unique event identification number, a member identification number and an event time when being logged in the data store (page 1 par 0009; page 4 par 0107-0109).

As per claim 13, Bottan teaches the system of claim 10, the event data common to event types is logged in a first table and event data unique to an event type instance being logged is logged in a second table (page 6 par 0145).

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As per claim 14, Bottan teaches the system of claim 10, the event types comprising at least one of operating system events, entity events and health monitor events (page 4 par 0091-0111).

As per claim 15, Botton teaches the system of claim 10, the event monitor system being operable to get event common data and event data specific to the instance of the event upon receipt of a new event and logging only event data specific to the instance of the event upon receipt of a reoccurrence of an event (see abstract; page 1 par 0010-0012).

Claims 16-20 contain the limitations as discussed above in claims 1-15. Therefore, they are rejected under the same rationale.

Claims 21-25 contain means plus function. Bottan's fig 1-4 contain all the structural elements regarding the limitations of these claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz B. Jean whose telephone number is 571-272-3937. The examiner can normally be reached on 8:30-6:00 M-f.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 571 272 3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


FRANTZ B. JEAN
PRIMARY EXAMINER